City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number:	2107947
Applicant Name:	Steve Lampert, Project Architect
Address of Proposal:	424 North 85th Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for the future construction of a 4-story building containing 3,466 sq. ft. of retail and four (4) residential units at ground level and fifty-one (51) residential units above. Seventy-nine (79) parking stalls are to be provided below and at grade within the structure. The project includes the demolition of one existing structure and approximately 4,740 cu. yds. of grading.

The following Master Use Permit components are required:

- Design Review - Section 23.41, Seattle Municipal Code (SMC) with one Development Standard Departure:
    - To allow a reduction in the required driveway width from twenty-two (22) feet to eighteen (18) feet *(SMC 23.54.030.D)*.
- SEPA-Threshold Determination (Chapter 25.05 SMC).

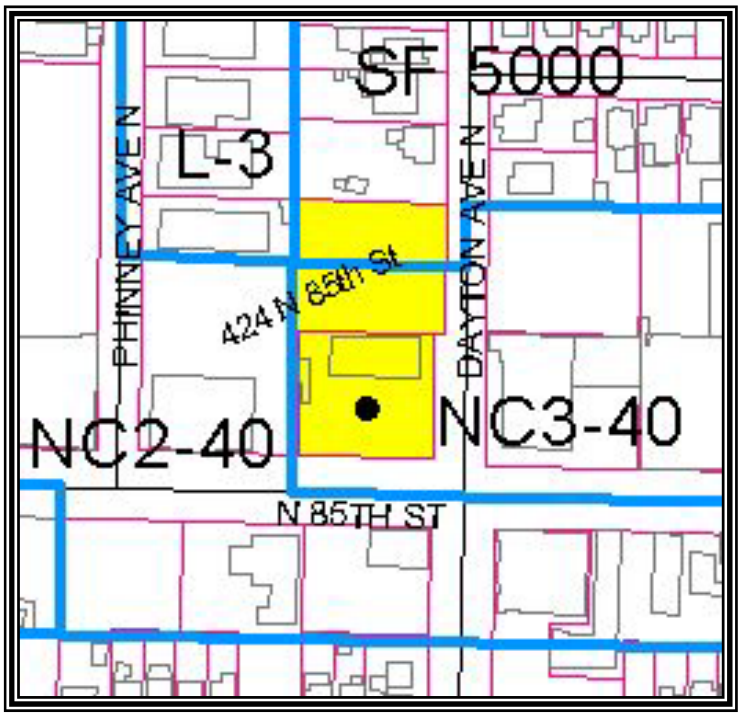
SEPA DETERMINATION: [ ] Exempt [ ] DNS [ ] EIS

[**X**] DNS with conditions

[ ] DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

BACKGROUND DATA

Site & Area Description



The rectangular shaped site (two parcels) of approximately 27,500 square feet is located at the northwest corner of the intersection of North 85th Street and Dayton Avenue North, in the Greenwood area of North Seattle. The majority of the site and surrounding parcels along the North 85th Street corridor are zoned Neighborhood Commercial 3, or Neighborhood Commercial 2, with forty foot height limit (NC 2/3 – 40), which allows for mixed use buildings. A limited portion of the northerly portion of the site, and properties to the north, are zoned for single family residential use with a minimum lot size of 5,000 square feet (SF 5000). There is currently a one-story warehouse and surface parking located on the site. Development to the north is exclusively single family residential with one and two-story houses of varying ages and architectural styles. The 85th Street corridor is in the process of redeveloping; there are several large mixed use projects currently under construction in the vicinity of the site. The parcel is relatively flat without any identified environmentally critical areas. There is not an alley adjacent to the property available for vehicle access.

North 85th Street is classified as a Principal Arterial, pursuant to SMC Chapter 23.53 and receives significant amounts of vehicle traffic. There is a sidewalk along 85th but no planter strip to buffer pedestrians from the traffic. The 85th Street/Dayton Avenue intersection is signalized. Dayton Avenue is paved but not improved with curbs, gutters, sidewalks or planter strips. Two blocks to the west is the Greenwood Avenue commercial corridor, a significant draw for pedestrians and vehicular traffic.

Proposal

The proposal is to construct a four-story mixed use building with non-residential use(s) at the ground floor along 85th Street and along a portion of the Dayton Avenue facade. Access to the parking will be from Dayton Avenue. The residential entry lobby, with access to the proposed fifty-five (55) units will be at the northerly end of the site, along the Dayton Avenue facade. The northerly portion of the development site zoned SF 5000 will be landscaped and designated as open space available for the building residents. The SF 5000 portion of the site can not be used

to meet any of the Code required development standards except for open space and no portion of the building can be located within that area. Additional open space will be available on the second level and oriented to the south and west to take advantage of views and the solar orientation. In relation to the proposed project, a lot boundary adjustment (MUP# 2200429) is currently proposed for the northern boundary of (parcel #6431500311), the subject site. The proposed lot boundary adjustment will bring the project site under one parcel number, leaving the northern parcel (separate from the project site and required open space in the single family zone detailed above) , zoned (SF 5000) as a separate parcel not included in the project proposal or site.

Public Comments

The SEPA comment period for this proposal ended on July 31, 2002. The Department received two written comments during the public comment period, related to traffic, parking and safety.

An Early Design Guidance Public Meeting was held by the Design Review Board for Northwest Seattle on April 8, 2002. Six (6) members of the public were present at the meeting and raised concerns related to height and bulk impacts; impacts of the proposed structure on the 85th Street and Dayton Avenue streetscapes; impacts to the pedestrian environment, both positive and negative; vehicle impacts and access to the site; and, the potential for creating a mid-block connection between Dayton and Phinney Avenues.

ANALYSIS - DESIGN REVIEW

Early Design Guidance

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance and identified by letter and number those siting and design guidelines found in the City of Seattle's *"Design Review: Guidelines for Multifamily and Commercial Buildings"* of highest priority for this project:

A-1 Responding to Site Characteristics
The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

The project site is located at the high point of 85th Street between Aurora and Greenwood Avenues. Additionally, Dayton Avenue slopes downward to 85th Street. Thus the building will be very visible from the surrounding streets. The non-residential (commercial) element and access should be very visible and designed to enhance the streetscape and ground the building.

A-4 Human Activity

New development should be sited and designed to encourage human activity on the street.

The building should engage the streetscape. The street level facade should be designed to encourage interaction between the building residents and passing pedestrians in a positive way. The 85th Street pedestrian corridor is somewhat harsh due to the amount of vehicle traffic and the narrow sidewalk. The 85th Street sidewalk should be widened to the maximum extent possible. Any landscaping should be placed between the sidewalk and the edge of the pavement to provide a buffer for pedestrians. There are no sidewalks on Dayton Avenue. The Dayton Avenue streetscape should be designed to facilitate the movement of pedestrians in a more positive and pedestrian friendly manner, with a wide sidewalk, planter strip and street trees.

A-8 Parking and Vehicle Access

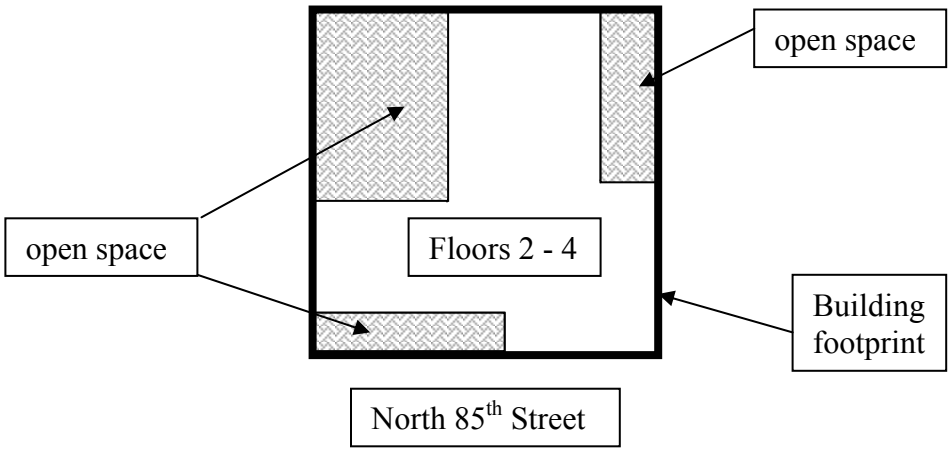
Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

The Board noted that Dayton Avenue is the more desirable street for the vehicle access, due to the traffic volumes and safety concerns that would be raised with access from 85th Street. Given that access to the internal parking will be from Dayton Avenue, the design of the garage access is important as it relates to the Dayton Avenue streetscape. The garage entry should not dominate the building facade and the potential for pedestrian vehicle conflicts should be minimized. Care should be taken in the design such that pedestrians do not feel as though they are intruding in an area exclusively for vehicles as they cross in front of the garage opening.

B-1 Height, Bulk and Scale Compatibility

Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.

The Board noted that massing of the building is critical to the overall success of the project design. The architect should consider centering the mass of the building on the site which would provide relief to the streetscape below as the building would not present a flat four story facade adjacent to the rights-of-way. A portion of the building could be brought out to the southeast corner at the intersection of Dayton Ave N and N 85th Street because it is such a prominent corner. An example, but in no means the only solution, of the building massing is:



Finally, the Board noted that the massing and prominence of any stair and/or elevator towers should be minimized.

C-3 Human Scale
The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.

The building should be designed such that it does not loom over the streetscape. Elements which provide a more human scale to the facade should be incorporated into the project design. The streetscape should be design to make the area as pedestrian friendly as possible.

C-4 Exterior Finish Materials
Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

Materials chosen should complement the residential and commercial characters of the neighborhood and be durable and long lasting.

C-5 Structured Parking Entrances
The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.

The Board reiterated that the garage entrance from Dayton Avenue should not dominate the facade and should be designed to minimize the potential for pedestrian vehicle conflicts.

E-2 Landscaping to Enhance the Building and/or Site
Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

The surrounding developments, including the single family residences to the north, contain a mixture of urban type landscaping i.e., lawns, shrubs, small ornamental trees and native vegetation. There are no significant trees on the subject property. It is recommended that the applicant provide landscaping which enhances the architectural features of the building and retains the natural character of the surrounding landscaping. Landscaping should be incorporated to enhance the residential open space areas and the overall site.

E-3 Landscape Design to Address Special Site Conditions
The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

The northerly portion of the site which is zoned SF 5000 and will not be developed except as open space available for building residents presents a unique opportunity to provide a small park-like area for residents and to provide a buffer to the single family uses to the north. This area should be well designed with a variety of vegetation and amenities such as sitting areas to reinforce the residential character of the neighborhood to the north.

Summary: The guidance of the Board reflected their concern as to how the proposed project would be integrated into the existing and developing neighborhood.

Design Review Board Recommendations

On January 13, 2003 the Design Review Board convened for a Public Meeting regarding this project, at which time site, landscaping and floor plans, and a rendering were presented for the members' consideration. On July 28th 2003, the applicant applied for the Master Use Permit.

The following ***departure*** from standards of the Land Use Code was requested by the applicant at the time of the meeting:

i. To allow a reduction in the driveway width from twenty-two (22) feet to eighteen (18) feet (SMC 23.54.030.D).

Board Discussion & Deliveration

The Board commended the architect on the final design of the project. The design evinces a cohesive architectural concept. The warm brick and terracotta colors are interesting and will enhance the building. Landscaping of the open space area between the building and the single family neighborhood to the north is an amenity for not only future building residents, but also a visual amenity for the neighborhood. The two-story residential lobby gives the residential aspect of the structure presence on the street and enhances the design. Stepping the middle of the building back from Dayton Avenue presents a less oppressive building wall and will be a benefit to the streetscape and pedestrians. The perceived bulk of the upper floors along Dayton Avenue have been reduced and the base strengthened to reduce the dominance of the upper floors. The treatment of the base along Dayton Avenue is more residential in character. Bringing the corners

of the building out to the Dayton Avenue right-of-way reinforces this set-back and also gives the building a street presence. The large open space area at the southwest corner of the building above the non-residential first floor is an excellent gesture to the 85th Street corridor. This open space area with plantings will provide a visual respite for pedestrians as they travel along 85th Street. The street level facades along both 85th Street and Dayton Avenue ground the building. The design reflects the positive elements of the one to two-stories Greenwood Avenue commercial core. Overhead weather protection is provided and the brick strengthens the building.

The Board discussed the final design and recommends approval since it is consistent with the Design Guidelines and the Board's previous guidance as follows: The site is a corner lot, adjacent to the Greenwood Avenue commercial corridor. The proposed design presents a strong corner, a brick base reminiscent of the brick buildings along Greenwood Avenue and the open space has been sited to take advantage of potential views and solar exposure *(Guideline A-1)*. Portions of the building along Dayton Avenue have been setback from the base to provide respite along the streetscape. The open space above the 85th Street facade provides an additional visual respite for pedestrians. These voids and setbacks lend a human scale to the structure and enhance its height, bulk and scale compatibility with the surround neighborhood *(Guidelines B-1 & C-3)*. The proposed open space areas, and residential uses and a two-story residential lobby adjacent to the Dayton Avenue right-of-way will encourage human activity along the street. Overhead weather protection is also provided along both street fronts for pedestrians *(Guideline A-4)*. Parking is accessed from Dayton Avenue, the only available right-of-way for access. The driveway width has been reduced to minimize the visual impact on the streetscape *(Guidelines A-8 & C-5)*.

The proposed design has distinct elements which work together as a cohesive whole combining more historical brick elements with more contemporary northwest urban forms *(Guideline C-2)*. The brick base, with horizontal and vertical Hardi-siding and Hardi-panels will yield a building with a traditional feel and quality *(Guideline C-4)*. The west wall of the structure should incorporate design elements and landscaping to provide and interesting facade until such time as the property to the west is redeveloped *(Guideline E-2)*. Landscaping in the open space areas has been designed as a buffer and a visual amenity for the surrounding neighborhood. Landscaping at the base will enhance the building and the pedestrian corridor, and separate pedestrians from the traffic *(Guidelines E-2 & E-3)*.

Departure Analysis

i. Reduction in Driveway Width:

For a two-way driveway, the Code requires a minimum of width of twenty-two (22) feet. *(SMC 23.54.030.D)* The applicant is proposing to reduce the width to eighteen (18) feet, to create a safer pedestrian streetscape & allow for better human scale for the Dayton Avenue facade. The Board discussed the requested departure and recommends approval since the proposed design meets or exceeds the priority Design Guidelines and their previous guidance. Minimizing the presence of the driveway and garage opening on the

Dayton Avenue facade by reducing the width of the driveway better enables the project to meet the intent of the Design Guidelines A-8, C-3 and C-5.

Summary of Board's Recommendations: The recommendations summarized above were based on the plans submitted at that meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans available at the January 13, 2003 public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the Design Review Board members recommended approval of the subject design and the requested development standard departure from the requirements of the Land Use Code (listed above), with no conditions.

Director's Analysis

Since these recommendations were unanimously offered by the five (5) members of the Design Review Board, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board (*SMC Sec. 23.41.014.F.3*).

Director's Decision

The Director of DPD has reviewed the decision, recommendations and conditions of the Design Review Board, and the design departure, as stated by the Design Review Board. The Director finds that the proposal is consistent with the *City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings*. The Director **APPROVES** the subject design and requested departure consistent with the Board's recommendations above. This decision is based on the Design Review Board's final recommendations and on the plans submitted at the public meeting on January 13th, 2003. Design, siting or architectural details not specifically identified or altered in this decision are expected to remain substantially as presented in the plans available at the January 13th, 2003 public meeting.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated June 3, 2002. The information in the checklist; project file and plans; and, the experience of the lead agency with review of similar projects form the basis for this analysis and decision. This report anticipates short and long-term adverse impacts from the proposal.

The SEPA Overview Policy (SMC 25.05.665 D) states "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation", subject to limitations. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code (grading, site excavation and soil erosion); Critical Areas Ordinance (grading, soil erosion and stability); Street Use Ordinance (watering streets to suppress dust, obstruction of the rights-of-way during construction, construction along the street right-of-way, and sidewalk repair); Building Code (construction standards); and Noise Ordinance (construction noise). Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of potential adverse impacts. Thus, mitigation pursuant to SEPA is not necessary for these impacts. However, more detailed discussion of some of these impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during construction and demolition; potential soil erosion during grading, excavation and general site work; increased runoff; tracking of mud onto adjacent streets by construction vehicles; increased demand on traffic and parking from construction equipment and personnel; conflict with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section 25.05.794). Although not significant, these impacts may be adverse. Other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g., increased traffic during construction, increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation.

Noise - There will be excavation required to prepare the building site and foundation for the new building. Additionally, as development proceeds, noise associated with construction of the building could adversely affect the residents and commercial tenants in the surrounding residential and commercial buildings. Due to the proximity of other residential uses located to the north and commercial building to the east and west, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:30 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 4:00 p.m. on Saturdays (except that grading, delivery and pouring of cement, and similar noisy activities shall be prohibited on Saturdays). This condition may be modified by DPD to allow work of an emergency nature. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.

Grading - Earth/Soils – The site is relatively flat and is not located in any identified or designated Environmentally Critical Area (ECA). The construction plans will be reviewed by DPD for compliance with all Code requirements. Any additional information required showing conformance with applicable ordinances and codes will be required prior to issuance of building

permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The current proposal involves cuts of greater than three feet in height and the excavation of approximately 4,740 cubic yards of material and thus is subject to the provisions of the Stormwater, Grading and Drainage Control Code. These Code provisions provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

The construction plans, including shoring of excavations as needed and erosion control techniques will be reviewed by the DPD Geotechnical Engineer and Building Plans Examiner who may require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary. Therefore, no further conditioning for soils or grading activities is warranted pursuant to SEPA policies.

Parking – The Land Use Code requirement for the development, including the residential and commercial uses, is 71 parking stalls (69 residential; 2 commercial). Per SEPA requirements, the residential parking is anticipated to cause spillover onto the surrounding street system. The residential parking requirement would be to 1.5 stalls/unit or 82.5 residential stalls required. As a result the proponent has accounted for the anticipated spillover in the parking design and count. Total parking provided is 85 parking stalls. Twelve (12) of the stalls provided for the residential requirement will be provided as tandem stalls.

Chapter 23.54 of the Land Use Code addresses parking requirements. In addition, subsection 25.05.675.M of the City's Environmental Policies and Procedures addresses parking impacts, as follows:

Parking policies designed to mitigate most parking impacts and to accommodate most of the cumulative effects of future projects on parking are included in the City's land use policies and implemented through the City's Land Use Code. However, in some neighborhoods, due to inadequate off-street parking, streets are unable to absorb any additional parking spillover.... It is the City's policy to minimize or prevent adverse parking impacts associated with development projects. Subject to the overview and cumulative effects policies set forth in SMC Sections 25.05.665 and 25.05.670, the decision-maker may condition a project to mitigate the effects of development in an area on parking; provided, that... parking impact mitigation for multifamily development may be required only where on-street parking is at capacity as defined by Seattle Transportation or where the development itself would cause on-street parking to reach capacity as so defined.

Pursuant to SEPA authority, the tandem stalls can be viewed as separate parking stalls for the purposes of meeting SEPA parking requirements. As a result of the tandem spaces being viewed as separate stalls, proper conditioning is warranted to ensure the spirit of the SEPA parking requirement is upheld and parking related to the uses and structure will be adequate so not to cause spillover onto the surrounding street system.

In summary, there will be 85 actual parking spaces provided on site, with 12 spaces being tandem spaces allocated for residential use. Per the Land Use Code (SMC 23.54.020-B1), tandem spaces shall equal one and one half (1.5) parking spaces for zoning count. Per zoning requirements 69 residential spaces are required, where 79 are provided, therefore meeting the requirements of the zoning code. As stated above per SEPA requirements, 82.5 residential stalls and 2 commercial stalls are required, for a total of 84.5 stalls required, while 85 stalls are provided therefore meeting SEPA requirements for parking. As a result of the above analysis proper conditioning is warranted.

Traffic – It is estimated that the project, upon completion, will generate approximately 200 average daily trips, 15 AM and 20 PM Peak Hour trips (ITE manual). The additional trips will not have a significant adverse impact on neighborhood traffic flow and intersections. The project site has access to local and express service transit routes in the nearby vicinity. There are also many dining, shopping, educational, health care, entertainment and recreational opportunities within walking/bicycling distance and along the public transit routes. The proposal is not expected to have a significant adverse impact on the traffic flow and or pedestrian and vehicle safety on either Dayton Avenue North or 85th Street.

The hauling of excavated material will entail approximately 180 truck loads. The site is adjacent to North 85th Street, a principal arterial, which provides access to State Route 99 and Interstate 5. Truck haul routes are available consistent with the existing City code provision (SMC 11.62) which requires truck activities to use arterial streets to every extent possible. Traffic impacts resulting from the truck traffic associated with the hauling of debris will be of short duration and mitigated by enforcement of SMC 11.62.

For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site.

Air and Environmental Health - Given the age and former uses of the existing structure on the site, it may contain asbestos, which could be released into the air during demolition. The Puget Sound Clean Air Agency (PSCAA), the Washington Department of Labor and Industry, and EPA regulations provide for the safe removal and disposal of asbestos. In addition, federal law requires the filing of a demolition permit with PSCAA prior to demolition. Pursuant to SMC Sections 25.05.675 A and F, to mitigate potential adverse air quality and environmental health impacts, project approval will be conditioned upon submission of a copy of the PSCAA permit

prior to issuance of a demolition permit, if necessary. So conditioned, the project's anticipated adverse air and environmental health impacts will be adequately mitigated.

Long-term Impacts

No significant adverse long-term or use-related impacts associated with of approval of this proposal are anticipated. Adopted City codes and/or ordinances provide mitigation for potential impacts. Specifically, the Stormwater, Grading and Drainage Control Code which requires on site detention of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; and the City Energy Code (if applicable) which will require insulation for outside walls and energy efficient windows.

Height, Bulk and Scale - The SEPA Height, Bulk and Scale Policy (Sec. 25.05.675.G, SMC) states that *"the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the adopted Land Use Policies...for the area in which they are located, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning."*

In addition, the SEPA Height, Bulk and Scale Policy states that *"(a) project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated."* The Board was aware of their charge to assess height bulk and scale relationships in their review and recommendations, noting the significantly lower southwestern portion of the proposal. Since the discussion in the previous section (Design Review Analysis section B-1) indicates that there are no significant height, bulk and scale impacts as contemplated within this SEPA policy, and since the Design Review Board recommended approval of the proposed design with conditions, no additional mitigation of height, bulk and scale impacts is warranted pursuant to this SEPA policy.

Compliance with all applicable codes and ordinances is adequate to achieve sufficient mitigation of the potential long term impacts and no conditioning is warranted by SEPA.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.

[ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

CONDITIONS – DESIGN REVIEW

Prior to Building Permit Issuance

1. Develop a detailed design for review and approval of the Land Use Planner for the concrete base on the west façade that incorporates design elements & landscaping (see page 7 of this document & Design Guideline E-2).

Non-Appealable Conditions

2. Embed the colored presentation drawings from the recommendation meeting on January 13th, 2003 into the building permit drawings.

3. All changes to the exterior of the building, the site, or improvements in the right-of-way must be reviewed and approved by the Land Use Planner prior to construction.

CONDITIONS – SEPA

The owner/applicant shall:

Prior to issuance of MUP

None.

Prior to issuance of Demolition or Construction Permits

1. The owner(s) and/or responsible party (ies) shall submit a copy of the PSCAA permit prior to issuance of a demolition permit, if a PSCAA permit is required.

2. Lot Boundary Adjustment (MUP # 2200429) shall be finaled prior to the application of any related building permits.

During Construction

3. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:30 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 4:00 p.m. on Saturday (except that grading, delivery and pouring of cement and similar noisy activities

shall be prohibited on Saturday). This condition may be modified by DPD to allow work of an emergency nature. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.

Prior to Issuance of Final Occupancy

4. The twelve (12) proposed tandem spaces shall be pre-assigned to two bedroom units. This shall be verified by language in the rental agreements for the chosen twelve (12) two-bedroom units. The language of the rental agreement shall include the tandem parking space numbers assigned to the unit in question.

Compliance with all conditions must be verified and approved by Lucas DeHerrera, 615-0724 Land Use Planner or the Senior Land Use Planner for the area, Cheryl Waldman, 233-3861 at the specified development stage, as required by the Director's decision. The applicant/responsible party is responsible for arranging an appointment with the Land Use Planner at least three (3) working days prior to the required inspection. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved.

Signature: (signature on file) Date: November 13, 2003

Lucas DeHerrera
Land Use Planner
Department of Planning and Development
Land Use Division

LD:bg

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